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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,601	07/28/2003	Abram Paulus Johannes Fransen	2001-1277	4264

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EXAMINER

JILLIONS, JOHN M

ART UNIT	PAPER NUMBER
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3654

DATE MAILED: 02/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/627,601

Applicant(s)

FRANSEN, ABRAM PAULUS
JOHANNES

Examiner

John M. Jillions

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| <p>1) <input type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____</p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6) <input type="checkbox"/> Other: _____</p> |
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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 15 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by either of Picton or Sherwood, both of record. Both Picton and Sherwood disclose metallic material winders in which the lead end of material is clamped to the rolling up member, note the axial slit formed between wall 30 and movable clamp 34, Fig. 6 of Picton and the axial slit formed between stationary clamp member 86 and movable clamp member 92, Fig. 4 of Sherwood. The material being wound in Picton or Sherwood is not folded as can be seen in the above-mentioned figures.

3. Claims 1-4, 7, 9-10, 14-15, 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Betz, of record. The material being wound in Betz is clearly not folded as can be seen in the figures and which would meet the terms of these claims. Regarding claim 9 note the base 14 and covering 15 of Betz.

Claim Rejections - 35 USC § 103

4. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Betz in view of Rodach, of record. It would have been obvious to one of ordinary skill in the art to utilize an automatic device such as a fluid operated piston/cylinder in the mechanism of Betz in order to

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move the movable clamping surface to facilitate the clamping of the lead end of material and to automate the winding operation in view of the teaching of Rodach, note col. 2, lines 28-33.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Betz in view of Nakagawa, of record. It would have been obvious to one of ordinary skill in the art to provide the engagement surfaces of the clamp of Betz with friction increasing structures in view of the teaching of Nakagawa in order to ensure proper clamping of the material end.

6. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Betz in view of Lucas, of record. It would have been obvious to one of ordinary skill in the art to provide Betz with a roller type of pressing member to press the material as the material is winding in view of the old and well known teaching of Lucas, note especially Fig. 12, to control the nip forces in the wound roll during the winding operation.

7. Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Betz in view of O'Brien, of record. It would have been obvious to one of ordinary skill in the art to provide the gripping surface of Betz with friction material such as profiling in view of the teaching of O'Brien, see page 3, col. 1, lines 6-10, to ensure proper clamping engagement of the material to the rolling device.

8. Claims 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Betz in view of White, of record. Note that at least one of the clamping members of White is made of rubber material 41. It would have been obvious to one of ordinary skill in the art to provide either or both of the gripping surfaces of Betz with rubber to enhance the gripping effect in view of the teaching of White.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Jillions whose telephone number is (703) 308-2685. The examiner can normally be reached on M-F 9:15 - 5:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (703) 308-2688. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


John M. Jillions
Primary Examiner
Art Unit 3654

jmj